

REFERENCE TITLE: *petition circulators; forgery*

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2419

Introduced by
Representatives Gallardo, Sinema: Ableser, Campbell CH, Lopes, Lujan,
Prezelski

AN ACT

AMENDING SECTION 16-321, ARIZONA REVISED STATUTES; RELATING TO NOMINATING PROCEDURES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 16-321, Arizona Revised Statutes, is amended to
3 read:

4 16-321. Signing and certification of nomination petition;
5 petition forgery

6 A. Each signer of a nomination petition shall sign only one petition
7 for the same office unless more than one candidate is to be elected to such
8 office, and in that case not more than the number of nomination petitions
9 equal to the number of candidates to be elected to the office. A signature
10 shall not be counted on a nomination petition unless the signature is upon a
11 sheet bearing the form prescribed by section 16-314.

12 B. For the purposes of petitions filed pursuant to sections 16-312,
13 16-313, 16-314 and 16-341, each signer of a nomination petition shall be a
14 voter who at the time of signing is a registered voter in the electoral
15 district of the office the candidate is seeking.

16 C. If an elector signs more nomination petitions than permitted by
17 subsection A of this section, the earlier signatures of the elector are
18 deemed valid, as determined by the date of the signature as shown on the
19 petitions. If the signatures by the elector are dated on the same day, all
20 signatures by that elector on that day are deemed invalid. Any signature by
21 that elector on a nomination petition on or after the date of the last
22 otherwise valid signature is deemed invalid and shall not be counted.

23 D. The person before whom the signatures were written on the signature
24 sheet shall be qualified to register to vote in this state pursuant to
25 section 16-101 and shall **verify SWEAR BEFORE A NOTARY PUBLIC** that **THE**
CIRCULATOR WITNESSED THE SIGNATURES OF each of the names on the petition **was**
signed in his presence on the date indicated, and that in his belief each
28 signer was a qualified elector who resides at the address given as the
29 signer's residence on the date indicated and, if for a partisan election,
30 that each signer is a member of the party the nomination of which the
31 candidate whose name appears on the nomination petition is seeking. The way
32 the name appears on the petition shall be the name used in determining the
33 validity of the name for any legal purpose pursuant to the election laws of
34 this state. Signature and handwriting comparisons may be made.

35 E. A PERSON WHO KNOWINGLY SIGNS A PETITION AS A CIRCULATOR AS
36 PRESCRIBED IN SUBSECTION D OF THIS SECTION AND WHO DOES NOT WITNESS THE
37 SIGNATURES OF ALL PERSONS WHO SIGNED THE PETITION IS GUILTY OF PETITION
38 FORGERY.